GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - State Tax Department - Surprise check conducted on the Integrated Check Post, Purushothapuram, Ichapuram Mandal, Srikakulam dist., on 27.07.2014 - Final report submitted by DG, ACB - Placed on their defence before the Tribunal for Disciplinary Proceedings - Disciplinary action initiated against erring officials by entrusting the case to Commissionerate of Inquiries - Further action dropped against three Accused Officers i.e., 1) Sri D.Behara, ACTO, 2) Sri A.Sriramulu, ACTO and 3) Sri D.Venkat Rao, Jr.Asst., due to efflux of time (4) years limitation period under Rule 9 (2) (b) (ii) of A.P. Revised Pension Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.RT.No. 161 Dated: 25-02-2025

Read the following:-

1. The DG, ACB, Lr.Rc.No.75/DES-VSK/2014, dated 23.12.2014.
2. Govt.Memo.No.37929/Vig.II(3)/2014-1, dated 09.04.2015.
3. G.O.Rt.No.353, Revenue (Vigilance-II) Dept., dated 17.05.2022.
4. U.O.Note No.1878240/GAD/COI-R/2022-22, dated 17.02.2023 of Genl. Admn. (COI-R) Dept.
5. The Act 29 of 2022, dt. 22-12-2022.
6. Govt.Memo.No.1601757-CCST0CCTV(ACBC)/2/2021, dated 21.07.2023.

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ORDER:

Whereas, in the reference 1st read above, the Director General, Anti-Corruption Bureau has reported that certain employees working at the Integrated Check Post, Purushothapuram, Ichapuram Mandal, Srikakulam dist., were indulging in corrupt practices and collecting mamools (illegal gratification) from the crew of the transport vehicles who are passing through the check post, the DSP, ACB, Vizianagaram Range organized a surprise check on 27.07.2014 in the presence of mediators. During the surprise check, it was found that certain irregularities committed by the staff of Commercial Tax Department working at check post. The DG, ACB has recommended to place all seven (07) officials of Revenue (Commercial Tax) Dept., before the Tribunal for Disciplinary Proceedings for their misconduct for violation of APCS (Conduct) Rules, 1964.

2. Whereas, in the reference 2nd read above, Government have entrusted the case to the Tribunal for Disciplinary Proceedings for conducting regular inquiry into the matter and place the seven (07) Charged Officers i.e., 1) Sri V.Appala Naidu, DCTO, (DO-1) (CT), 2) Sri P.Ananda Rao, DCTO, (DO-2) (CT), 3) Sri D.Behara, ACTO, (DO-4)

(P.T.O.)

(CT), 4) Sri K.Srinivasa Rao, Jr.Asst., (DO-5) (CT), 6) Sri D.Venkata Rao, Jr.Asst., (DO-6) and 7) Sri Y.Appala Raju, Jr.Asst., (DO-7) (CT) on their defence before the Tribunal for Disciplinary Proceedings u/s.4 of APCS (Disciplinary Proceedings Tribunal) Act, 1960 r/w. Rule 3(1) of APCS (Disciplinary Proceedings Tribunal) Rules, 1989 to enquire into the allegations of misconduct and violation of conduct rules noticed during the surprise check.

3. Whereas, out of the 07 Accused Officers, Sri V.Appala Naidu, the then DCTO, passed away on 23.08.2020, subject to recovery of loss, if any, from his terminal benefits in terms of Rule-9(7) of A.P.Revised Pension Rules, 1980 based on the report of the CCST further action was abated vide reference 3rd read above and another Charged Officer Sri P.Ananda Rao, DCTO also passed away on 20.05.2022, as stated by the CCST and Sri D.Behara, ACTO, Sri A.Sri Ramulu, ACTO and Sri D.Venkata Rao, Jr.Asst., have retired from service the on the age of superannuation on 30.10.2016, 30.06.2020 and 30.04.2021 respectively.

4. Whereas, in the reference 4th read above, the case was entrusted to the Commissioners of Inquiries for inquiry due to abolishment of Tribunal for Disciplinary Proceedings vide reference 5th read above. The General Administration (COI-R) Dept., have requested to take over the connected files and documents from Commissionerate of Inquiries and issue necessary orders entrusting the cases to Inquiring Authorities and appointing Presenting Officers. As seen from the list, the present case has been entrusted to Sri Ramesh Kumar Suman, IFS & Member, COI.

5. Whereas, in the reference 5th read above, Government requested the Director General, Anti-Corruption Bureau to furnish draft Articles of Charges in respect of Sri K.Srinivasa Rao, Jr.Asst and Sri Y.Appala Raju, Jr.Asst (CT) for further action in the mater.

6. And whereas, Government have observed that charges have not been framed against the Accused Officers Sri D.Behara, ACTO, Sri A.Sri Ramulu, ACTO and Sri D.Venkata Rao, Jr.Asst., have retired from service on attaining the age of superannuation on 30.10.2016, 30.06.2020 and 30.04.2021 respectively. The limitation of 4 years period as required under Rule 9(2) (b) (ii) of AP Revised Pension rules, 1980 to initiate Disciplinary proceedings against the Charged Officer has already elapsed.

7. Government after careful examining the matter hereby drop further action against Sri D.Behara, ACTO, Sri A.Sri Ramulu, ACTO and Sri D.Venkata Rao, Jr.Asst., Integrated Check Post, Purushothapuram, Ichapuram Mandal, Srikakulam dist. who retired from the service on attaining the age of superannuation on 30.10.2016, 30.06.2020 and 30.04.2021 respectively, as the limitation of the 4 years period from the date of incident i.e., on 27.07.2014 has already been lapsed and the departmental proceedings can’t be initiated as per Rule 9(2)(b)(2) of A.P.Revised Pension Rules, 1980.

(Contd.,3)

8. The Chief Commissioner of State Tax, A.P., Kunchanapalli, Guntur district shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMNET

To
Sri Individuals concerned (through the Chief Commissioner of State Tax, A.P., Kunchanapalli, Guntur district)
The Chief Commissioner of State Tax, Kunchanapalli, A.P., Guntur district
The Director General, Anti-Corruption Bureau, A.P., Vijayawada
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission
SF/SCs

// FORWARDED:: BY ORDER //

SECTION OFFICER